



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/312,302	05/14/1999	MARIO D. NEMIROVSKY	P3803	2422
23669	7590	12/02/2004	EXAMINER	
HUFFMAN LAW GROUP, P.C. 1832 N. CASCADE AVE. COLORADO SPRINGS, CO 80907-7449			DONAGHUE, LARRY D	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/312,302	Applicant(s) NEMIROVSKY ET AL	
	Examiner Larry D Donaghue	Art Unit 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 26 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 9-16, 18-20, 22-24 and 26-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 9-16, 18-20, 22-24 and 26-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2154

1. Claims 1-6, 9-16, 18-20, 22-24, and 26-28 are presented for examination.
2. The rejection is maintained and set forth below.
3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3, 5-6, 9-12, 15-16, 19-20, 22-24 and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Nemirovsky (DISC, A Dynamic Stream Computer).

Nemirovsky taught the invention as claimed including a processor executing a plurality of streams (page 63), a set of functional resources page (101 and 102) , interrupt logic (page 96) and interrupts are directed to one or more specific streams (page 63).

As to claim 2 and 3, Nemirovsky taught one exception or interrupt directed to two or more streams (page 63) and two or more interrupts or exceptions are directed to one stream (page 63).

As to claim 5, Nemirovsky taught that the directing is programmable (pages 94-98).

As to claim 6, Nemirovsky taught the interrupt logic refers to a data store (page 96, fig. 5.13).

As to claim 9, Nemirovsky taught the interrupts are from an external device and software interrupts (page 95).

As to claim 10, Nemirovsky taught a mask (page 96).

As to claims 11-12 , Nemirovsky taught after interrupting the streams and vectoring to a service routine (pages 96-97).

Claims 15-17, 19-20, and 22-24 and 26, fail to teach or define above or beyond claims 1-3, 5-6, 8-12, and are rejected for the reasons set forth above.

5. Claims 4, 13-14, 18, and 27-28, and are rejected under 35 U.S.C. 103(a) as being unpatentable over Nemirovsky as applied to claims 1-3, 5-6, 9-12, 15-16, 19-20, 22-24 and 26, above, and further in view of Nemirovsky et al. (DISC, A Dynamic Stream Computer).

Nemirovsky et al. (DISC, A Dynamic Stream Computer) referenc was cited by applicant on paper no.2.

Art Unit: 2154

As to claims 13, and 27, Nemirovsky did not expressly teach delaying the vectoring to a service routine, Nemirovsky et al. taught that this technique is useful in synchronization (page 167, section titled Interrupts). It would have been obvious to one of ordinary skill in the art to combine these references as they are directed to the same device.

As to claims 14, and 28, Nemirovsky taught that different streams vector to different service routines (page 96, first paragraph).

As to claims 4, and 18, Nemirovsky (page 64) directing is static at processor design, by suggesting it would be beneficial to have a dedicated IS for interrupts.

6. Applicant's arguments filed 08/26/2004 have been fully considered but they are not persuasive.

7. The missing element of interrupt mapping logic is taught on page 63, 19-20 and page 96.

8. As to applicant's confusion of the references note:

9. Claims 4, 13-14, 18, and 27-28, and are rejected under 35 U.S.C. 103(a) as being unpatentable over **Nemirovsky** as applied to claims 1-3, 5-6, 8-12, 15-17, 19-20, 22-26, above, and further in view of **Nemirovsky et al.** (DISC, A Dynamic Stream Computer).

Nemirovsky et al. (DISC, A Dynamic Stream Computer) reference was cited by applicant on paper no.2.

Nemirovsky (DISC, A Dynamic Stream Computer) reference was cited by examiner on paper no.3.

There are two references, note appendix A.

10.

11. This is a RCE of applicant's earlier Application No. 09/312,302. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Larry D Donaghue whose telephone number is 703-305-9675. The examiner can normally be reached on M-F 8:00-5:00.

Art Unit: 2154

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 703-305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LARRY D. DONAGHUE
PRIMARY EXAMINER

